



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV**

**APPLICATION FOR CERTIFICATION FOR THE
PALEN SOLAR POWER PROJECT**

DOCKET No. 09-AFC-7

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DATE	<u>SEP 16 2010</u>
RECD.	<u>SEP 16 2010</u>

REVISED COMMITTEE SCHEDULING ORDER

Background

On August 24, 2009, Solar Millennium, LLC and Chevron Energy Solutions (Applicants), submitted an Application for Certification (AFC) to the Energy Commission to construct the **Palen Solar Power Project** (PSPP), a solar thermal power plant facility located approximately 10 miles east of Desert Center, along Interstate 10 (I-10) approximately halfway between the cities of Indio and Blythe, in Riverside County, California.

The Energy Commission found the AFC data adequate on November 18, 2009, and assigned a Committee to conduct proceedings on the AFC. The Committee held a public Site Visit and Informational Hearing at Blythe City Hall on January 25, 2010, to discuss the review process and to identify issues that could affect the schedule.

Part I of the Revised Staff Assessment (RSA) was published on September 1, 2010. Part II is scheduled for publication on September 16, 2010. The Committee held a Status Conference on September 9, 2010, to assess the parties' readiness for Evidentiary Hearings. Applicant, Staff, and Intervenors California Unions for Reliable Energy (CURE) and Center for Biological Diversity (CBD) filed Issues Statements setting forth proposed schedules for the remainder of the proceeding.

CBD also filed a motion to continue the then-scheduled evidentiary hearing dates and a request to maintain reasonable deadlines. CBD stated that it had an unavoidable schedule conflict on October 12 and also requested more time to prepare for Evidentiary Hearings. This Scheduling Order accommodates CBD's schedule conflict and allows ample time for review of the RSA, while also meeting the applicant's goal of completing the AFC process by December 15, 2010. This Scheduling Order shall serve as the Committee's ruling on CBD's motion, as well as establishing the schedule for the remainder of the proceeding.

The Revised Committee Schedule reflects the Committee's careful consideration of each party's suggested schedule, Commission staff workload, and the Applicant's

expressed desire to have this proceeding concluded in time for a Final Commission Decision to be issued no later than December 15, 2010, in order to qualify for American Reinvestment and Recovery Act of 2009 (ARRA) funding if the AFC is approved.

ORDER

1. The parties shall comply with the attached Revised Committee Schedule.
2. CBD's motion to continue the Evidentiary Hearings to a date that would not conflict with CBD's prior October 12, 2010 commitment is **granted**.
3. CBD's "request" to maintain reasonable deadlines is not framed as a motion. CBD's "request," however, does suggest that we ought to allow a substantial delay, which would result in a Commission Decision in January, 2011. Given the current publication dates for Parts I and II of the RSA, the Committee has determined that the Revised Schedule sets forth reasonable deadlines leading to Evidentiary Hearings, and thus **denies** CBD's request for additional delay.
4. The Committee may modify the schedule at any time by its own motion or that of a party. [Cal. Code Regs., tit. 20, § 1709.7(c).]
5. The Committee understands that Commission staff are currently carrying an unprecedented workload, coupled with the need for several solar projects to commence construction before the end of this year in order to receive ARRA funding, meaning that AFCs must be processed to completion at a rapid pace. Accordingly, the Committee **orders** that the parties promptly inform the Committee via memo, email, or telephone contact with the Hearing Adviser, of anything causing inability to meet a deadline. Any such communications shall be promptly docketed as appropriate.

Public Participation

The Energy Commission Public Adviser is available to assist the public in participating in the application review process. For those individuals who require general information on how to participate, please contact the Public Adviser's Office at (916) 654-4489 or 1-800-822-6228 or e-mail: **[publicadviser@energy.state.ca.us]**.

If you have a disability and need assistance to participate in any scheduled event, contact Lourdes Quiroz no less than five days prior to the hearing at (916) 654-5146 or e-mail: **[lquiroz@energy.state.ca.us]**.

Information

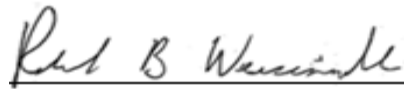
Questions of a legal or procedural nature should be directed to Raoul Renaud, the Hearing Officer, at (916) 651-2020 or e-mail: **[rrenaud@energy.state.ca.us]**.

Technical questions concerning the Project should be addressed to Alan Solomon, the Staff Project Manager, at (916) 653-8236 or e-mail: **[asolomon@energy.state.ca.us]**.

Media inquiries should be directed to the Office of Media and Public Communications at (916) 654-4989 or e-mail: **[mediaoffice@energy.state.ca.us]**.

Information concerning the status of the project, as well as notices and other relevant documents may be viewed on the Energy Commission's Internet web page at: **[www.energy.ca.gov/sitingcases/solar_millennium_palen]**.

Dated: September 16, 2010 at Sacramento, California.



ROBERT B. WEISENMILLER
Commissioner and Presiding Member
Palen Solar AFC Committee



KAREN DOUGLAS
Chairman and Associate Member
Palen Solar AFC Committee

**Revised Palen Solar Power Project Schedule
09-AFC-7**

Milestone/Task	Date
Revised Staff Assessment (RSA) Part I published	9/1/10
Status Conference	9/9/10
RSA Part II published	9/16/10
Committee-sponsored workshop on RSA Parts I and II	9/27/10
Parties file Prehearing Conference Statements	10/4/10
Prehearing Conference; Parties file Opening Testimony	10/5/10
All parties file Rebuttal Testimony and submit exhibits organized numerically and by topic to the Hearing Office	10/11/10
Evidentiary Hearings	10/13/10 and 10/14/10
Parties file post-hearing briefs (if necessary)	10/21/10
Presiding Member's Proposed Decision (PMPD) published	11/15/10
Last day for parties to file comments on PMPD	12/7/10
Committee Conference on PMPD (if necessary)	12/9/10
PMPD Errata published (if necessary)	TBD
Energy Commission Final Decision	12/15/10

Dated September 16, 2010



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**APPLICATION FOR CERTIFICATION
FOR THE PALEN SOLAR POWER
PLANT PROJECT**

Docket No. 09-AFC-7

**PROOF OF SERVICE
(Revised 8/27/10)**

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INTERVENORS

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INTERESTED AGENCIES

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ENERGY COMMISSION

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DECLARATION OF SERVICE

I, Maggie Read, declare that on September 16, 2010, I served and filed copies of the attached Revised Scheduling Order, dated September 16, 2010. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at:

http://www.energy.ca.gov/sitingcases/solar_millennium_palen

The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(Check all that Apply)

FOR SERVICE TO ALL OTHER PARTIES:

- sent electronically to all email addresses on the Proof of Service list;
- by personal delivery;
- by delivering on this date, for mailing with the United States Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses **NOT** marked "email preferred."

AND

FOR FILING WITH THE ENERGY COMMISSION:

- sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (*preferred method*);

OR

- depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 09-AFC-7
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

I declare under penalty of perjury that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

Original signed by:
MAGGIE READ
Hearing Adviser's Office